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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,328	09/23/2003	Chin-Chung Lien	9810-US-PA	2327

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EXAMINER
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TSANG, ELBERT

ART UNIT	PAPER NUMBER
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4157

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/605,328	<b>Applicant(s)</b> LIEN, CHIN-CHUNG	
	<b>Examiner</b> ELBERT TSANG	<b>Art Unit</b> 4157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Specification*

The title of the disclosure is objected to because of a spelling error. Enhacing should be changed to enhancing. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-3, 5-7, 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mochimaru et al, US Patent No.: 3,884,576 (hereinafter Mochimaru).**

For claim 1, Mochimaru discloses a scan device, suitable for scanning a document (figs. 1, 2, 5; abstract), comprising: a scan chassis (11 i.e., scanner base), wherein the scan chassis comprises at least one light source module (13-16), and the light source module comprises a lamp holder and a plurality of lamps, wherein the plurality of lamps are disposed inside the lamp holder (expected in 13-16), and each of the lamps can provide a light with a predetermined brightness to the document (col. 2, lines 38-51, col. 5, lines 2-16); a brightness judging device, electrically coupled to the

scan chassis (col. 5, lines 17-26); and a chart, disposed above the scan chassis (fig. 4, i.e. a chart is served as a graph).

Mochimaru does not explicitly disclose a random selecting device, electrically coupled to the scan chassis, and used to randomly select and turn on one of the plurality of lamps in the scan chassis as claimed. However, Mochimaru discloses (col. 2, lines 46-52) an exposure dial that affects changing light intensity levels of the lamps. This disclosure implies manual adjustment to the exposure dial. Hence, one skilled in the art would have reasonably concluded that manual exposure correction could be done randomly. Furthermore, nothing in Mochimaru precludes the exposure dial from being performed randomly nor adjusting the light intensity of the lamp(s) (13-16) to an "on" or "off" state. In conclusion, the exposure dial as disclosed in Mochimaru serves as an equivalent feature of the random selecting device as claimed for substantially the same functionality.

For claim 2, Mochimaru discloses:

The scan device of claim 1, wherein the scan chassis comprises: a chassis cover (11), wherein the light source module is disposed on the chassis cover; a reflection mirror set (17-17'), disposed inside the chassis cover, and located on a light path behind the document; an optical lens set (18-18'), disposed inside the chassis cover, and located on the light path behind the reflection mirror set; and an image capturing device (19 i.e., photosensitive member), disposed inside the chassis cover, and located on the light path behind the optical lens set (fig. 1, 2).

For claim 3, Mochimaru does not disclose:

The scan device of claim 2, wherein the chassis cover has an opening, and the light arrives at the reflection mirror set via the opening after it is reflected from the document. (fig. 2, in Mochimaru, the glass plate 12 serves this purpose).

Claim 5 has been analyzed and rejected w/r to claim 1 above.

Claim 6 has been analyzed and rejected w/r to claim 2 above.

Claim 7 has been analyzed and rejected w/r to claim 3 above.

Claims 9 and 10 have been analyzed and rejected w/r to the apparatus of claim 1 above, on the basis that the apparatus would perform a corresponding method as claimed.

For claims 11-13, the method prescribed in these claims is to enhance the life of the scan device by testing whether the brightness level is sufficient with a fewer amount of lamps turned on, if not, turn more lamps on. As a result, the life of the lamps may be prolonged because not all lamps are on all the time, thus, enhancing the life of the scan device. In Mochimaru, light intensity of lamps (13-16) can be adjusted based on the brightness level measured (see rejection of claim 1 above). Hence, it would have been obvious and reasonable to expect the life of lamps (13-16) may be extended as a consequent because not all lamps (13-16) operate at the same brightness level. Some

may very well be off since Mochimaru does not preclude the possibility of zero light intensity for a particular lamp. Therefore, claims 11-13 are rejected for reasons stated.

For claims 14-17, the method of enhancing the life of the scan device have been analyzed and rejected w/r to claims 9-12 above.

**Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mochimaru et al as applied to claims 2 and 6 above respectively, and further in view of Wu, US Patent No.: 5,619,302 (hereinafter Wu).**

For claim 4, Mochimaru does not disclose:

The scan device of claim 2, wherein the image capturing device comprises a CCD. However, Wu does. Wu discloses that any sensor array or imager that is adapted to record an image reflected can comprise a CCD photosensitive array (col. 7, lines 9-11; col. 7, lines 27-28). The two inventions are analogous to the art of scanning and therefore would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a CCD array as the photosensitive member to record the image reflected.

Claim 8 has been analyzed and rejected w/r to claim 4 above.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicants disclosure

Thomas (US Patent No.: 3,698,815) teaches a scan device, suitable for scanning a document with at least one light source module along with a plurality of lamps that can provide a light with a predetermined brightness. Thomas also implies the notion of random manual adjustment by an operator for each said lamp.

### ***Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELBERT TSANG whose telephone number is (571)270-3748. The examiner can normally be reached on 8:00 AM - 5:00 PM, M-F, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Elbert Tsang/  
Examiner, Art Unit 4157

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